

BARBARA SPANZANO KIRSCHBAUM & NAGELBERG LLP

DOCUMENT 200 WEST MADISON, SUITE 200
CHICAGO, ILLINOIS 60606

ELECTRONICALLY FILED

DOC #:

DATE FILED: 2-23-11

MEMO ENDORSED

Annaliese F. Fleming
(312) 629-7385

annaliesc.fleming@bfkn.com

Telephone (312) 984-3100
Facsimile (312) 984-3150

February 18, 2011

VIA FACSIMILE

Honorable P. Kevin Castel
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10021
(212) 805-7949 (fax)

**Re: GO SMILE, Inc. v. Dr. Jonathan B. Levine, D.M.D, P.C.
and Dr. Jonathan B. Levine, 10 CIV 8663 (PKC)**

Dear Judge Castel:

This firm, along with co-counsel at Flemming Zulack Williamson & Zauderer LLP, represents plaintiff GO SMILE in the above-referenced action.

I write to correct an error in my earlier letter from today, which has been endorsed by the Court and entered as Docket Entry No. 68. In that letter, I requested an adjournment of time within which to oppose defendants' Motion to Dismiss, filed via ECF on January 4, 2011. I stated that the original deadline for GO SMILE's opposition was January 18, 2011, and the original deadline for defendants' reply was January 25, 2011, and that the parties had agreed to extend these deadlines until February 18, 2011 and March 1, 2011, respectively.

However, the extension to March 1, 2011 was in error. In fact, the parties had agreed to extend the deadline for defendants' reply until March 4, 2011.

While the Court has already agreed to an extension for GO SMILE's opposition, in order to be clear, we now respectfully request that Your Honor endorse this letter and enter the following deadlines:

- OK [
- GO SMILE's opposition is to be filed today, February 18, 2011.
 - Defendants' reply is to be filed by March 4, 2011.

Again, I apologize for my error earlier today in my original letter. We thank the Court in advance for its consideration of this matter.

Respectfully,

Annaliese F. Fleming (MFS)
Annaliese F. Fleming

cc: Counsel of Record (via e-mail)